

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Monique L. Walker,

Plaintiff,

vs.

Village Green Management
Company, BWIP Erie Shore Owner
LLC, Hunter Warfield, Inc., & The
Perch on Lake Apartments,

Defendants.

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CASE NO. 1:20-cv-1491

OPINION & ORDER

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On June 5, 2020, Plaintiff Monique Walker, an Ohio resident, sued Defendants Village Green Management Company, BWIP Erie Shore Owner LLC, Hunter Warfield, Inc., & The Perch on Lake Apartments, in the Lorain County Court of Common Pleas.¹ On July 7, 2020, Defendant Hunter Warfield, Inc. removed the case to this Court pursuant to 28 U.S.C. § 1441(a).²

Though Defendant Hunter Warfield, Inc. stated in its Notice of Removal that none of its co-defendants opposed removal to this Court,³ it has since acknowledged that Defendant BWIP Erie Shore Owner LLC has not consented to the removal.⁴ Proper removal under § 1441(a) requires that “all defendants who have been served or otherwise properly joined in

¹ Doc. 1-1.

² Doc. 1.

³ Doc. 1.

⁴ Doc. 13.

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the action must either join in the removal, or file a written consent to the removal." *Harper v. AutoAlliance Intern., Inc.*, 392 F.3d 195, 201 (6th Cir. 2004). The Court therefore DISMISSES the case without prejudice and remands to Lorain County Court of Common Pleas.

IT IS SO ORDERED.

Dated: September 14, 2020

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE